

### **REMARKS**

The Examiner rejected claims 1, 3 and 8, as being supported by applicant's elected species, under 35 U.S.C. § 102(e) as allegedly being anticipated by Li (Li *et al.*, US 6,911,360).

The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Li in view of Lee (Lee *et al.*, US 5,917,244) and/or Kobayashi (US 5,083,183).

Applicants respectfully traverse the § 102(e) and §103(a) rejections with the following arguments.

Applicants added new claim 21 that depends from claim 2.

**35 U.S.C. § 102(e)**

The Examiner rejected claims 1, 3 and 8 under 35 U.S.C. § 102(e) as allegedly being anticipated by Li (Li *et al.*, US 6,911,360).

Regarding the rejection of claim 1, Applicants respectfully contend that Li does not anticipate claim 1, because Li does not teach each and every feature of claim 1. For example, Li does not teach the “**electrically conductive** liner region” of claim 1 (bold emphasis added).

More specifically, in FIG. 3, column 2, lines 28-29, Li teaches that the liner region 78 is a dielectric layer. In contrast, in claim 1, the liner region is **electrically conductive**.

Based on the preceding arguments, Applicants respectfully maintain that Li does not anticipate claim 1, and that claim 1 is in condition for allowance.

Regarding the rejection of claims 3 and 8, since claims 3 and 8 depend from claim 1, Applicants contend that claims 3 and 8 are likewise in condition for allowance.

**35 U.S.C. § 103(a)**

The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Li in view of Lee (Lee *et al.*, US 5,917,244) and/or Kobayashi (US 5,083,183). Since claim 2 depends from claim 1, which is in condition for allowance as argued above, Applicants contend that claim 2 is likewise in condition for allowance.

## CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

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